

REMARKS

The above-identified application is United States application serial number 10/025,578 filed on December 26, 2001. Claims 1-19 are pending in the application. Claims 9-12 and 14-19 are allowed. Claims 3 and 5-8 are objected to as being dependent upon a rejected base claim. Claims 1, 2, and 4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Koch *et. al.* (U.S. Patent No. 4,698,775, hereafter "Koch") in view of Kyrakis (U.S. Patent No. 5,666,202, hereafter "Kyrakis"). Applicant respectfully traverses these rejections.

Rejection of Claims Under 35 U.S.C. §112

Claim 13 is rejected under 35 U.S.C. § 112 as reciting the limitation "the computer executable logic instructions" with insufficient antecedent basis. In response, Applicant has amended Claim 13 to delete the word "the" from the phrase "the computer executable logic instructions". Removal of the rejection of Claim 13 under 35 U.S.C. § 112 is therefore requested.

Rejection of Claims Under 35 U.S.C. § 103

Claim 1 recites "a laser position determine system operable to determine the spatial relationship of the work-piece during the machining operations". This feature is not disclosed or suggested by Koch or Kyrakis, either alone or in combination. Allowance of Claim 1, and dependent Claims 2 and 4 is respectfully requested.

Claim 6 has been cancelled.

CONCLUSION

Claims 1-5 and 7-19 are believed to be in condition for allowance and a notice to that effect is solicited. Should any issues arise that might be subject to resolution through a telephone interview, the Examiner is requested to contact the undersigned at (949) 251-0250.

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Respectfully submitted,

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